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Letter dated 14 April 2009 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Upon instructions from my Government and pursuant to this Permanent Mission's previous letters circulated as documents A/61/571-S/2006/884, A/61/954-S/2007/354, A/62/705-S/2008/117, A/62/798-S/2008/240, S/2008/377, S/2008/599 and S/2008/790 regarding the unlawful and insolent threats of resorting to force against the Islamic Republic of Iran by the Israeli regime, I wish to inform you that the use of fabricated pretexts by various Israeli regime officials to publicly threaten to resort to force against the Islamic Republic of Iran is continuing unabated in total defiance of international law and fundamental principles of the Charter of the United Nations, particularly the provisions of the Charter which call for refraining "from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations".

While the said regime continues its war crimes and crimes against humanity against the Palestinians and other Arab peoples under its brutal occupation, particularly against the innocent Palestinians in the Gaza Strip, it also persists in its vicious threats against the nations that show sympathy to the innocent Palestinian people, including against my country. As the latest example in this regard and emboldened by the absence of any action on the part of the United Nations, the Israeli regime's President, Shimon Peres, repeated the same unlawful threats in an interview on 12 April 2009 by saying "we'll strike" Iran. Prior to that and in an interview conducted on 31 March 2009, the Israeli regime's current Prime Minister, Benjamin Netanyahu, had said that the said regime "may attack Iran's nuclear facilities".

These outrageous threats of resorting to criminal and terrorist acts against a sovereign country and a Member of the United Nations not only display the aggressive and warmongering nature of the Zionist regime, but also constitute blatant violations of international law and the most fundamental principles of the Charter of the United Nations, and require a clear and resolute response on the part of the United Nations, particularly the Security Council. The Security Council should react to these vicious statements by unambiguously condemning them and calling on the said regime to cease and desist immediately from the threat of using force against Members of the United Nations.

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As we have stressed time and again, while the Islamic Republic of Iran has never threatened nor has any intention to threaten other nations, nonetheless and in response to any aggression, it will not hesitate to act in self-defence to protect itself and its people in accordance with its inherent right under Article 51 of the Charter of the United Nations.

I would appreciate it if you would circulate this letter as a document of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

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Security Council

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Letter dated 14 April 2009 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council

I should like, first of all, to congratulate you upon assuming the presidency of the Security Council for April 2009, and to wish you every success.

I write with reference to the comprehensive report (S/2009/190), which includes an update on the progress that has been made since the appointment of Ambassador Gennady Tarasov as the High-level Coordinator with respect to compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals, or their remains, and the return of all Kuwaiti property, including archives, seized by Iraq in the course of their invasion of my country on 2 August 1990.

We are very grateful to the Secretary-General of the United Nations, Mr. Ban Ki-moon, for having submitted that report on the achievements of the High-level Coordinator over the past one year in respect of the files which remain pending between the fraternal countries of Iraq and Kuwait and have yet to be closed. Those files concern Kuwaiti and third-country prisoners and missing persons and Kuwaiti property and, in particular, the National Archives, which constitute the State memory and history. We appreciate the genuine and sustained endeavours exerted by Ambassador Tarasov regarding those issues. I should like to stress that Kuwait has every confidence in the High-level Coordinator and supports him in carrying out his mandate.

I should also like to underline that Kuwait currently enjoys fraternal, friendly and cooperative relations with Iraq in various fields. Kuwait was one of the first States to provide support and assistance to its brothers in Iraq, and continues to extend that support, with a view to enabling Iraq to regain the position it deserves. That position was impaired by the former Iraqi regime when it invaded and occupied my country on 2 August 1990, as a consequence of which Iraq became liable to obligations under Security Council resolutions that were adopted pursuant to the Charter of the United Nations, Chapter VII, and under the agenda item "The situation between Iraq and Kuwait".

The question of Kuwaiti and third-country prisoners and missing persons has significant humanitarian and social dimensions, and Kuwait attaches particular importance to determining the fate and finding the remains of those missing persons. The aforementioned report affirms that the regime of Saddam Hussein eliminated them, shooting them from behind, and that they were buried in various

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mass graves throughout Iraq. Those burial sites must be found and the remains returned to their families, who are waiting impatiently to find out the fate of their loved ones.

In his latest report, the Secretary-General also refers to the fact that the mandate of the High-level Coordinator was outlined in resolution 1284 (1999), paragraph 14, and consists of helping to close the files pending between Iraq and Kuwait. That indicates that the Security Council wishes those files to remain under the full supervision of the United Nations and the High-level Coordinator until such time as they are closed. The files concerning Kuwaiti and third-country prisoners and missing persons and the return of Kuwaiti property remain open. It is therefore appropriate that the mandate of the High-level Coordinator should continue, as Kuwait wishes and requests.

Kuwait therefore supports the proposal put forward by the Secretary-General to the effect that the mandate should be extended to June 2010, provided that the Security Council then considers the issue and takes the action it deems appropriate.

I should be grateful if you would circulate this letter as a document of the Security Council.

(*Signed*) Abdullah **Al-Murad**
Ambassador
Permanent Representative